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FURTHER REPORT OF THE SECRETARY-GENERAL SUBMITTED IN PURSUANCE OF PARAGRAPH 18 OF RESOLUTION 814 (1993)

INTRODUCTION

1. The present report is submitted pursuant to paragraph 18 of Security Council resolution 814 (1993) of 26 March 1993, in which the Council requested me to keep the Security Council fully informed on action taken to implement the resolution, in particular recommendations for the establishment of Somali police forces, and on the progress achieved in accomplishing the objectives set out in the resolution.

2. The substance of resolution 814 (1993) reflects the complexity of the anarchic situation that had developed in Somalia from factional strife, causing prolonged suffering of its people. It was evident that, to reconstruct the country's political, social and material infrastructure on a lasting basis, much time and effort would be required. The effective action by the Unified Task Force (UNITAF) in the early part of 1993 and, after 4 May, by the United Nations Operation in Somalia (UNOSOM) with an expanded mandate has led to a significant improvement in conditions almost all over Somalia. Unfortunately, the recalcitrance and narrow interests of certain elements have prolonged unstable and insecure conditions in Mogadishu, seriously hindering UNOSOM's efforts to help Somalia towards recovery.

3. The present report covers the activities of UNOSOM up to 31 July 1993. Section I deals with the organization of the mission. Section II contains an outline of developments on the progress made in the consolidation, expansion and maintenance of a secure environment in Somalia and the issues of cease-fire, disarmament and the removal of mines. A brief account of the progress made towards the re-establishment of the Somali police force, judicial and penal systems is covered in section III and my recommendations on the assistance UNOSOM could provide for the re-establishment of the Somali police force are to be found in the annex to the present report. The promotion and advancement of political reconciliation and the re-establishment of national and regional institutions and civil administration are dealt with in section IV. The relief, economic rehabilitation and repatriation of refugees and displaced persons are discussed in section V. Section VI covers public information activities in support of UNOSOM objectives. I have included my observations in section VII, for the consideration of the Council.

I. ORGANIZATION OF MISSION

4. Following the transfer of military command from UNITAF to UNOSOM on 4 May 1993, the organizational plan for assigning areas of responsibility was modified to reflect the composition of existing forces of UNOSOM. The nine UNITAF humanitarian relief sectors were realigned into four UNOSOM areas of responsibility: Kismayo, Baidoa, Merca-Mogadishu and Belet Weyne-Jalalasi.

5. In accordance with the UNOSOM operational plan, the consolidation of United Nations forces in areas for which UNITAF had undertaken responsibility was completed. UNOSOM Commanders continued normalization and stabilization actions and fine-tuning command and control of assigned units in their respective areas. A number of adjustments were necessary owing to the departure of the bulk of the United States units before 4 May, the Australian contingent on 16 May and the Canadian contingent on 1 June.

6. The reinforcement of UNOSOM military units has not been as rapid as planned but both Force Headquarters Command and total strength have been progressively built up. Current strength is a little over 20,000 troops and other military personnel from 27 countries. The additional deployments planned for the months of August and September 1993 will bring the force strength to the authorized level of 28,000. At the peak of its deployment, UNITAF had 37,000 troops distributed over approximately 40 per cent of the territory of Somalia. As at 31 July 1993, the UNOSOM contingent breakdown was as follows:

Country	Description	Strength
Australia	Movement control unit	30
Bangladesh	Infantry battalion	25
Belgium	Brigade headquarters	
	Infantry battalion	
	Total, Belgium	998
Botswana	Infantry company	204
Canada	Headquarters staff	5
Egypt	Infantry battalion	540
France	Brigade headquarters	
	Infantry battalion	
	Aviation unit	
	Logistics battalion	
	Total, France	1 130
Germany	Logistics unit	772
Greece	Field hospital	110
India	Headquarters staff	5
Italy	Brigade headquarters	
	Infantry battalions	
	Aviation unit	
	Logistics/engineering	
	Medical unit	
	Total, Italy	2 538

Country	Description	Strength
Kuwait	Infantry company	108
Malaysia	Infantry battalion	873
Morocco	Infantry battalion	
	Support unit	
	Total, Morocco	1 341
New Zealand	Supply unit	43
Nigeria	Recce battalion	561
Norway	Headquarters company	137
Pakistan	Brigade headquarters	
	Infantry battalions	
	Signal unit	
	Supply and transport company	
	Engineer squadron	
	Medical unit	
	Electrical and mechanical engineering workshop	
	Ordnance company	
	Total, Pakistan	4 973
Republic of Korea	Engineer battalion	61
Romania	Field hospital	236
Saudi Arabia	Infantry battalion	678
Sweden	Field hospital	130
Tunisia	Infantry company	143
Turkey	Infantry battalion	320
United Arab Emirates	Infantry battalion	763
United States	Logistical unit	2 703
Zimbabwe	Infantry battalion	928
Headquarters staff		284
Provost Marshal section		68
Grand total		20 707

(The United States Quick Reaction Force, with a total of 1,167 all ranks, is deployed in support of UNOSOM, but is not part of the United Nations force.) Efforts will be made to have additional units deployed in the next few weeks, including:

India	Infantry brigade	4 983
Bangladesh	Remaining contingent	935
Germany	Remaining contingent	868
Ireland	Transport company	80
Nepal	Infantry battalion	317
Republic of Korea	Remaining contingent	189
Uganda	Infantry company	300
Zambia	Infantry battalion	500

UNOSOM plans to expand to the central region to help to provide stability in a heretofore contested area, to the north-east, which is relatively stable, and to the southern border area to facilitate the return of the large numbers of Somali

refugees from Kenya. However, these efforts are heavily dependent on the timing of arrival and size and capability of the additional forces.

7. As at 31 July 1993, UNOSOM military casualties were 39 killed and 160 wounded. Six Somali civilians working for UNOSOM were also killed.

8. From the outset, a major difficulty was created by the administrative and logistical requirements of supporting and deploying this very large number of troops from many countries within a relatively short time-frame. Administrative, financial and logistical procedures sometimes caused delays, impeding rapid deployment.

9. Thus, the military component of UNOSOM has faced acute growing pains, which have slowed the mission's ability to fulfil its mandate. Some troop-contributing countries, especially those having recently joined UNOSOM, were not in a position to provide the troops within scheduled time-frames. Others found it difficult to provide their soldiers with adequate weapons and equipment. In some cases, the provision of weapons and equipment from third countries had to be arranged, causing further delays.

10. These factors had a direct impact on the fulfilment of the mandate laid down by the Security Council. UNOSOM planning had assumed that, with the arrival of new troops, the mission would be in a position to deploy into the central and northern regions of Somalia by mid-July and August. Unfortunately, some of the scheduled reinforcements did not arrive in time and in some cases they arrived without the proper equipment. This delayed the capacity of UNOSOM to extend its operations throughout the country, which was essential to implement the mission's mandate. This also emboldened certain elements who seemed intent on undermining the efforts of the United Nations to bring stability, rehabilitation and political reconciliation to Somalia.

11. UNOSOM also comprises other important components with major roles in the implementation of the complex task of the mission. These include divisions dealing with humanitarian relief and rehabilitation, political affairs, justice, public affairs and administration and logistics. The work of these divisions is described in the relevant sections of the report.

II. THE CONSOLIDATION, EXPANSION AND MAINTENANCE OF A SECURE ENVIRONMENT

12. From the start of the tasks of UNOSOM in Somalia, certain factions overtly demonstrated their hostility to the international community's efforts to assist their country and to control the anarchic conditions that had developed in the preceding years. To illustrate, two days after UNOSOM took over responsibility for security from UNITAF, the militia of Ahmed Omar Jess launched an attack on the port city of Kismayo on 6 and 7 May 1993. Over time, control of Kismayo had changed hands several times amongst the various clans in the area. In March, the militia commanded by Mohamed Said Harsi (Morgan), from the Darod Harti sub-clan, had taken over the city and the militia of Jess of the Darod Ogadeni sub-clan was ousted from the city to Goobweyne. The attack by Jess's militia in May was repulsed by the Belgian forces of UNOSOM.

13. Hostile actions have been pursued by some factions in Mogadishu, particularly since 5 June 1993 when 24 UNOSOM soldiers from Pakistan were killed. Since my report of 1 July 1993 (S/26022), pursuant to resolution 837 (1993), the investigation called for by that resolution has been concluded. Its conclusions are being studied and a summary report will be presented to the Council.

14. I have repeatedly emphasized that disarmament is indispensable for the establishment of peace and security in Somalia. This is not only mandated by the Security Council, but also recognized by virtually all Somalis, including the leaders of political factions who agreed in Addis Ababa in January and March to such disarming and urged UNOSOM to apply strong and effective sanctions against those responsible for any violation of the cease-fire agreement of January 1993. They showed awareness that humanitarian and political progress could not be achieved rapidly unless stability was assured in the country. For the most part, Somalis strongly wish to shift from the cult of violence to the rule of law.

15. Disarmament efforts are aimed primarily at the militias which had intimidated and terrorized Somali society, and their heavy weapons. Voluntary disarmament is the basic assumption underlying the disarmament programme. If certain factions refuse to disarm voluntarily, UNOSOM is left with no choice but to disarm them through compulsion. Efforts to disarm and demobilize militias have to be complemented by a programme to rehabilitate, and reintegrate the ex-militiamen into productive life in society, to prevent their becoming hardened into lawless ways of life. Funding is urgently needed to expedite rehabilitation programmes.

16. There are reliable indications that increased activity by UNOSOM forces is having an effect on the United Somali Congress/Somali National Alliance (USC/SNA) militia operations in south Mogadishu. However, there is still potential for the militia to direct attacks against UNOSOM forces. The June incidents, and their aftermath, have provided ample evidence of the overabundance of heavy, medium and light weapons in the southern part of the city. Low-intensity attacks on key facilities, such as the Mogadishu port, the Force Command headquarters, the airfield and other main support bases, may continue. In these circumstances and as mandated by Security Council resolution 837 (1993), UNOSOM will have to maintain a forceful disarmament programme in south Mogadishu as long as resistance continues. More active patrolling, weapons confiscations, and operations against USC/SNA militia depots have been undertaken, together with a public information campaign to ensure that the population understands UNOSOM actions.

17. UNOSOM intends concurrently to encourage cooperative disarmament by the many factions that are already coming forward to participate. A cooperative process is being followed in the north-east and, gradually, in the central regions. The Somali Salvation Democratic Front (SSDF) military leadership in the north-east has expressed a wish to disarm voluntarily in cooperation with UNOSOM. A UNOSOM disarmament team has been assisted in examining many of the DDSF's stocks of heavy weapons and ammunition in the region, including Galkayo. Voluntary disarmament has been agreed upon, or is being negotiated, in the north-west and the Lower Juba, respectively. Other militias are stepping

forward as well to begin discussions. It is to be hoped that such voluntary disarmament will become the norm in the whole of Somalia.

18. Over the last eight months, UNOSOM, and before that UNITAF, have removed and destroyed hundreds of tons of weapons and ammunition. During March and April alone, UNITAF had confiscated about 150 handguns; more than 750 rifles; more than 200 machine-guns and an equal number of other heavy weapons such as rocket launchers and mortars; nearly 50 armoured vehicles including tanks, armoured personnel carriers (APCs), and self-propelled guns; more than 400 artillery pieces; almost 700 other weapons and close to 79,000 items of ordnance. These figures notwithstanding, the attainment of the level of disarmament required for a lasting peace in Somalia would involve continuation of a major effort on the part of UNOSOM. In this endeavour, the cooperation of neighbouring countries in helping to enforce the arms embargo is essential.

19. The removal of mines throughout Somalia remains an imperative prerequisite for the return of refugees and the resumption of agricultural and livestock production. It is also essential to the welfare of the population, since many mines were planted in populated areas as well. Preliminary estimates indicate that there are up to a million mines to be removed and that the largest concentration of mines is in the north-west. Efforts are now concentrated on ascertaining where exactly, within the general areas identified, the mines are located, as well as the type of mines and the estimated numbers. The most efficient type of removal equipment would be defined by the topography of the particular areas. An operational demining plan is being developed. At the moment, some UNOSOM contingents are removing mines from the roads in their respective areas of responsibility. Somalis in certain areas, such as Belet Uen, have also attempted to clear some mines that interfere with their livelihood. In the north-west, a consortium of European and North American countries is financing the removal of mines until the end of 1993.

20. Thus, the overall situation in Somalia has stabilized. Outside Mogadishu, in areas where UNOSOM forces are deployed, significant gains have been made in reducing banditry and in fostering the goodwill of the majority of the local population. UNOSOM has continued providing protection for humanitarian relief and undertaking disarmament operations in those areas, and these are gradually being expanded.

III. ASSISTANCE IN THE RE-ESTABLISHMENT OF THE SOMALI POLICE FORCE, JUDICIAL AND PENAL SYSTEMS

21. The key to establishing security and law and order in a system managed by Somalis lies in the re-establishment of the police, judicial and penal systems. Following the transition from UNITAF, UNOSOM has continued to support the Somali police force in the current UNOSOM area of operations and has endeavoured to assist in the north-east and north-west as well. UNOSOM has also developed, together with the Mogadishu legal and judicial community, mechanisms for the selection of judges and magistrates in Mogadishu, and has provided resources and assistance to the prison population in that city. It has also encouraged the development of judicial and penal systems in other areas.

22. The report annexed to the present document details UNOSOM goals and strategies for the next two years and provides a one-year (May 1993-April 1994) budget estimate for the justice programme. Current embryonic programmes are very fragile and urgently in need of support. Immediate and adequate funding for these programmes is imperative, if the responsibility for maintaining a secure environment is to be assumed by the Somalis themselves as quickly as possible.

IV. PROMOTION AND ADVANCEMENT OF POLITICAL RECONCILIATION AND THE RE-ESTABLISHMENT OF NATIONAL AND REGIONAL INSTITUTIONS AND CIVIL ADMINISTRATION

23. Following the successful Informal Preparatory Meeting for the Conference on National Reconciliation which I convened in Addis Ababa in January 1993, the first session of the Conference was held on 15 March 1993, also in Addis Ababa. Two hundred and fifty participants from a broad cross-section of Somalia, representing political movements, community, religious and women's groups, civic and non-governmental organizations (NGOs) as well as elders and eminent persons were invited to the Conference. On 27 March 1993, the Somali political leaders signed a comprehensive agreement covering disarmament and security issues, reconstruction and rehabilitation, restoration of property and the peaceful settlement of disputes and the establishment of a transitional mechanism. The Addis Ababa agreement was adopted at the closing meeting on 28 March 1993 of the first session of the Conference on National Reconciliation.

24. The agreement provides for a transitional period of two years, effective 27 March 1993. The transitional mechanisms will consist of the following four basic organs of authority:

(a) The Transitional National Council (TNC), which will act as the repository of Somali sovereignty and serve as the prime political authority having legislative functions during the transitional period. The Transitional National Council will comprise 3 representatives from each of the 18 regions of Somalia, including 1 woman from each region, 5 additional seats for Mogadishu, and 1 nominee from each of the 15 political factions that participated at the Conference. The total membership of the Transitional National Council will be 74;

(b) Central administrative departments, which will be responsible for the re-establishment and operation of departments of civil administration and social, economic and humanitarian affairs, thus preparing for the restoration of a formal Government;

(c) Regional councils, to be established in all 18 existing regions of Somalia, comprising 3 representatives from each district council in the region;

(d) District councils, to be established in the present districts in every region. Members will be appointed through election or through consensus-based selection in accordance with Somali traditions.

25. The agreement also provides for the appointment by the Transitional National Council of a Transitional Drafting Committee, to draft a transitional

charter following the basic principles of the Universal Declaration of Human Rights and Somali traditional ethics.

26. In the agreement, the Somali parties invited the Secretary-General and his Special Representative to extend all necessary assistance to the people of Somalia for its implementation. In a statement issued on 29 March 1993, the Secretary-General urged the Somali leaders to proceed without delay to work out the practical arrangements for the implementation of the agreement. On 30 March 1993, the leaders decided on a programme of implementation and also agreed to appoint the Transitional Charter Drafting Committee immediately.

Implementation of the Addis Ababa agreement

1. Deliberations of the Addis Ababa committees

27. The Transitional Charter Drafting Committee met in Mogadishu from 15 to 20 April 1993. The initial Committee was composed only of the representatives of the 15 political factions. This was not in conformity with Security Council resolution 814 (1993) which, inter alia, requested the Secretary-General to encourage broad participation by all sectors of Somali society to promote the process of political settlement and emphasized the need for broad-based consultations and deliberations to achieve agreement on the setting up of transitional government institutions and for consensus on basic principles and steps leading to the establishment of representative democratic institutions.

28. It was therefore a major objective of UNOSOM to ensure that all Somalis, including political, faction and community leaders, women, professionals, intellectuals, elders and other social groups were suitably represented in the process of preparing the transitional charter. In consultation with representatives of the political factions, my Special Representative convened a meeting of a Subcommittee of the Transitional Charter Drafting Committee with broad-based participation, including equal numbers of political and non-political participants. The Subcommittee commenced it work on 26 April 1993 and focused on elaborating the following six chapters for the draft transitional charter, which had been identified during the initial 15 to 20 April 1993 meeting: general principles; functions and powers of the Transitional National Council; central administrative departments; regional administration; judiciary; and transitional rules. The Subcommittee completed its work on 2 May 1993.

29. On 26 May 1993, my Special Representative convened a meeting of an expanded Transitional Charter Drafting Committee, comprising 30 representatives of political factions and an equal number of non-political participants. The Committee worked on refining the working paper produced by the Subcommittee. It completed its work on 4 June 1993 and set up a small working group to finalize the text of the Transitional Charter. The Group however had to suspend its work owing to the outbreak of violence in Mogadishu on 5 June 1993.

30. The Addis Ababa Conference also called for the creation of a committee on the peaceful settlement of disputes in order that claims for the restoration of private and public properties that were illegally confiscated, robbed, stolen, seized, embezzled or taken by other fraudulent means as well as all other disputes among Somalis should be settled in a peaceful manner.

31. This Committee held its first session in Addis Ababa from 19 to 21 March 1993. Its second session was convened by my Special Representative in Mogadishu from 15 to 21 April 1993, with the participation of all signatories to the Addis Ababa agreement. As in the case of the Transitional Charter Drafting Committee, my Special Representative, in consultation with the Somalis, expanded the composition of this Committee to ensure broad-based representation of all sections of the Somali society.

32. Another session of the Committee was convened from 25 May to 4 June in order to refine further the guidelines relating to such issues as compensation and procedures for the settlement of property claims.

33. The Cease-fire and Disarmament Committee established in Addis Ababa for the purpose of implementing the cease-fire and disarmament agreement signed by the leaders of the political factions on 8 January held several meetings in Mogadishu during the period 7 March to 25 May 1993 and undertook investigations into incidents of cease-fire violations. During its meetings, the Committee continued the process of developing procedures and guidelines for disarmament and for handling cease-fire violations. During its session of 30 and 31 March 1993, the Committee reached agreement on a set of penalties to be applied against factions violating the cease-fire. The agreed measures include condemnation of the offending party, withdrawal of militias that may occupy territory in violation of the cease-fire, withholding of any aid that the offending faction might be receiving, disarmament of the offending militia and compensation to the victims. During the same session the Committee completed the process of delineating regions that should be disarmed simultaneously in implementation of the Addis Ababa agreement. At a further session, held on 27 and 28 April 1993, the Committee agreed that the disarmament process should also cover small weapons in the hands of the civilian population.

34. The Committee investigated the cease-fire violations during the incidents involving clashes between supporters of the Somali Patriotic Movement/Somali National Alliance (SPM/SNA) and Somali Patriotic Movement (SPM) in Kismayo on 16 March, 3 April and 6 and 7 May 1993. The attacks on Kismayo of 6 and 7 May were investigated by a special committee previously established by the Cease-fire Committee, to which it reported its findings.

2. Establishment of district councils

35. It was agreed in Addis Ababa that the 92 districts of Somalia would be those that were functioning as at 31 December 1990. The Transitional Charter Drafting Committee subsequently decided that each district council would have 21 members, selected in accordance with Somali tradition. Any resident of a district over the age of 25 would be eligible for selection. Each district council would select three of its members to serve on the regional council and each regional council would in turn select three citizens of the region to serve on the Transitional National Council.

36. UNOSOM is assisting the Somalis to implement this part of the agreement. In May, UNOSOM began consultations with the Somali people on the establishment of district councils in the north-east region of Somalia. The UNOSOM Deputy Special Representative, Ambassador Lansana Kouyate, led a delegation to Bossasso

for discussions with local leaders. Further consultations were conducted by a UNOSOM team in the districts of the Bari and Nugal.

37. The process continued in early June with a UNOSOM political team, led by the Director of Political Affairs, visiting the districts of the Niran region and consulting with elders, politicians, religious groups, women's organizations and intellectuals.

38. The consultations were interrupted briefly by the tragic events of June. However, in view of the importance of sustaining the Addis Ababa process, consultations were resumed on 27 June with UNOSOM visits to districts of the Gedo, Bakool, Lower Shebelle, Middle Shebelle and Bay regions.

39. The people consulted in these districts have expressed overwhelming support for the establishment of these institutions, through which the people of Somalia will assert their sovereignty. On 3 July 1993, Buur-Hakaba in the Bay region became the first to celebrate formally the establishment of a district council. On 4 and 5 July 1993, Baidoa, also in the Bay region, and Hoddur in the Bakool region became the second and third to establish their district councils. By the end of July, a total of 21 district councils had been formed, including 2 in the north-east. The full list of district councils established as of 31 July 1993 is as follows:

Bakool region:	El Barde	Tieglo
	Hoddur	Wajid
	Rabdhurre	
Bay region:	Baidoa	Buur-Hakaba
	Bardale	Qansah Dere
Gedo region:	Belet Hawa	Dolo
Hiran region:	Bulo Burti	Mahas
	Jalalasi	
Lower Shebelle region:	Merca	Afgoye
Middle Shebelle region:	Balad	Aden Yabel
	Adale	
Bari region:	Gardo	Bender Beyla

With such strong support from the people, it is anticipated that in the months ahead, many other district councils will be established around the country.

3. National reconciliation

40. In order to reinforce the process of national reconciliation which the Somali political leaders set in motion in Addis Ababa, UNOSOM has undertaken to help to resolve conflicts at the regional level and to assist in resolving intercommunal disputes. A regional peace conference was convened in Kismayo, one of the most conflict-ridden areas of the country. The conference brought together 152 elders from throughout the Juba region to discuss issues crucial to the restoration of normalcy in the region, such as the reopening of all areas of the region for the free movement of people and commercial traffic, reunification of communities, settlement of property claims, the cessation of hostilities and disarmament. The conference made good progress in its work, and the cooperation of the elders and religious leaders from communities hitherto in conflict

brought relative stability to Kismayo, a city that had seen fighting as recently as May. On 6 August 1993 Conference representatives signed the Jubaland peace agreement in which the signatories committed themselves, on behalf of their clans, to end all hostilities among the more than 20 clans that inhabit Jubaland.

41. During the month of May 1993, UNOSOM also attempted to assist the Somalis in organizing a regional conference on Galkayo and the central regions, another area where tension had persisted among the various militias despite the signing of the Addis Ababa agreement. The leaders of the factions most directly involved - Somali National Alliance (SNA), Somali National Front (SNF), Somali Salvation Democratic Front (SSDF) and Somali National Democratic Union (SNDU) - were invited to Mogadishu. The conference however could not take place under the auspices of UNOSOM because of the position of Mohammed Farah Aidid, who insisted on assuming responsibility for the security and the entire organization of the conference. Consequently, the meeting was limited and excluded some of the key parties to the conflict who would not accept his terms. However, some of the agreements reached between SNA, SNDU and a faction of SSDF that took part in the limited meeting were positive and should contribute to the re-enforcement of the objectives of the Addis Ababa agreement, particularly disarmament and peaceful settlement of intercommunal disputes.

42. In the north-west, UNOSOM provided some logistical support for the regional reconciliation conference held in Boroma from March to May 1993. This conference settled a number of regional disputes and reached decisions pertaining to disarmament and the re-establishment of police forces. UNOSOM is assisting in the implementation of the decisions of the conference, consistent with the relevant Security Council resolutions on Somalia.

V. THE PROVISION OF HUMANITARIAN ASSISTANCE AND ECONOMIC REHABILITATION

43. The Third Coordination Meeting on Humanitarian Assistance for Somalia was held from 11 to 13 March 1993 in Addis Ababa. The meeting was attended by representatives of Governments providing humanitarian assistance to Somalia, regional organizations, United Nations agencies and intergovernmental and non-governmental organizations. One of the highlights of the meeting was the active participation of 190 Somali political leaders, community elders and representatives of women's organizations and indigenous NGOs. The Somali participants were the first to underline the importance of security and peace for the effective implementation of relief and rehabilitation programmes.

44. The 1993 relief and rehabilitation programme, which was launched at the March meeting, was endorsed as a valid and useful framework for activities for the remainder of the year. The programme called for US$ 160 million and, as of 27 July 1993, $16 million had been pledged. At the same time, it was recognized that flexibility would have to be maintained, taking into account the realities of the situation in Somalia. There was a consensus that national capacity-building should be given urgent attention. Unless local institutions, including police, judiciary and local administrations, were established, rehabilitation efforts would not be very effective.

45. With available resources, United Nations agencies and NGOs have made considerable efforts to implement relief and rehabilitation programmes throughout Somalia. A number of indicators would suffice to show the broad picture: starvation has largely been eradicated; children who only a few months ago were dying of preventable diseases have now been protected through vastly improved nutrition and massive immunization programmes; schools shut down for three or four years, or destroyed, are steadily reopening; plans to open vocational and teacher training schools are well under way in some parts of the country; the der harvest was good and, thanks to the large amount of seeds and tools distributed, the prospects for the coming harvest are said to be excellent; livestock export, the main source of foreign exchange, has been supported and facilitated through extensive inoculation programmes and the provision of veterinary services; and the number of commercial ships arriving at Somali ports has steadily increased. Unless a lasting peace is established, however, these encouraging signs of recovery of economic and commercial activity could quickly be reversed.

46. Projects designed to generate employment have a particularly high significance in the range of rehabilitation programmes. Thousands of young Somalis continue to be engaged in armed banditry and need to be given an opportunity to be involved in rehabilitation and reconstruction schemes as the process of disarmament progresses. High priority must be accorded to funding projects that will generate jobs, which in turn will make a concrete contribution to a more secure environment.

47. As I mentioned in my report to the Security Council on the implementation of Security Council resolution 837 (1993) (S/26022), the attacks on UNOSOM forces on 5 June and subsequent events have obliged many of the international relief workers to relocate to Nairobi. As a result of insecurity in south Mogadishu, many humanitarian programmes had come to a temporary standstill. Understandably, humanitarian agencies were concerned about the immediate and longer-term implications of the disruption in the delivery of humanitarian assistance. In spite of the difficult circumstances, a number of agencies maintained their operations to ensure that urgently needed relief supplies reached as many people as possible.

48. While the situation remains tense in Mogadishu South, it has been possible gradually to increase the coverage of humanitarian assistance with protection provided by UNOSOM forces. Humanitarian programmes in most other parts of Somalia were not disrupted with the exception of areas dependent on supplies dispatched from Mogadishu. Staff attached to the Humanitarian Division of UNOSOM are now located in all the regions of Somalia, including the north-west, and are working together with Somalis and international relief workers in expanding rehabilitation schemes.

49. Informal consultations between the United Nations, Governments providing assistance to Somalia and NGOs have been held twice so far in Nairobi, on 22 June and 27 July. There is a clear commitment to work together to meet the immediate as well as the longer-term requirements. In the same way that efforts have been made to involve Somalis in the preparation of the 1993 Relief and Rehabilitation Programme, the challenge now is to ensure that they assume an active role in the longer-term recovery plan and effort.

50. In order to overcome continued dependence on relief assistance, the emergence of indigenous institutional structures at the community, district and regional levels is of critical importance. While the shift from relief to rehabilitation gains momentum, it is essential that adequate resources are made available to support activities that are responsive to the evolving political and security environments. To date less than 15 per cent of the requirements of the 1993 Relief and Rehabilitation Programme has been made available. Unless sufficient funds are provided for rehabilitation programmes, it will be difficult to achieve long-lasting peace and security. The following five areas require attention and urgent action to the end of 1993 in order to set the stage for longer-term development on a sustainable basis:

(a) Continuing emergency relief operations. Throughout most regions of Somalia, in both urban and rural environments, despite the successful efforts of the Somalis and the international community, there will continue to exist pockets of immense suffering and deprivation. The identification of these remaining areas, the quantification of affected persons and an assessment of their needs is an urgent and essential task. This will lead to a refinement of those strategies that will improve their condition and prepare them for a return to productive endeavour;

(b) Resettlement. An estimated 1.3 million Somalis are now located away from their homes either as internally displaced persons or as refugees in neighbouring countries. Whether they remain in their present environment or return home, the economic, political and social implications are enormous. Planning for the future is contained in UNOSOM's resettlement policy which is currently being implemented in several regions, albeit with minimum resources;

(c) Reinvigoration of the productive sector, in particular agriculture, livestock and fisheries. The agriculture, livestock and fisheries sector has traditionally made the greatest contribution to Somalia's gross national product. Agriculture has been responsible for 65 per cent of employment and 70 per cent of its foreign exchange earnings. The challenge is to target support for the Somali efforts to return large numbers of their people to productive endeavour by removing constraints to expansion and growth;

(d) Revitalization of the social services. Somalis, in all regions, with extraordinary support from NGOs, United Nations organizations and UNOSOM, have made critical contributions to the re-establishment and maintenance of the education and health systems. The rebuilding of schools and health centres has proceeded steadily. These efforts have been possible only through volunteer contributions of Somali teachers, health workers and community leaders. The stage is now set for external contributions of low-cost high-value materials and supplies to enhance these volunteer efforts to improve the quality of Somali life;

(e) Resuscitation of commerce and trade. With minimal encouragement from external sources, Somalia's formal and informal private sector in all regions long ago began the task of breathing life into commercial and trading activities. Street vendors, farmers, businessmen and traders demand services from ports and airports in an effort to stimulate business and expand the base for employment. Somali and foreign investors have developed plans to expand business and provide a wide range of consumer services to their communities.

These services include international transportation and telecommunications, petroleum distribution, banking and finance.

51. While efforts to implement the above priority programmes continue, consultations have been initiated with the World Bank on planning for long-term reconstruction and recovery. Two consultations with bilateral and multilateral donors have already been held and a third meeting is expected to take place on 21 October 1993 in Paris. UNOSOM intends increasingly to involve emerging Somali organizations in this process.

VI. PUBLIC INFORMATION ACTIVITIES IN SUPPORT OF UNOSOM ACTIVITIES

52. In accordance with paragraph 4 (f) of Security Council resolution 814 (1993), UNOSOM has developed appropriate public information programmes in support of United Nations activities in Somalia.

53. While international media attention has been more focused on UNOSOM's military and security-related actions in Mogadishu, the United Nations continues to implement a wide range of activities throughout the country to promote Somalia's political reconciliation, rehabilitation and reconstruction. Fostering greater awareness of these activities and of UNOSOM's broad mandate among the international media and the Somali people has been the primary objective of the public information programme, but without great success.

54. The public information activities of UNOSOM are coordinated closely with United Nations agencies and NGOs. Information materials are regularly prepared and distributed to international and Somali media at daily news briefings held at UNOSOM headquarters. Regrettably, these efforts have had little effect on the media.

A. Radio programming

55. The high rate of illiteracy in Somalia and its scattered population, in conjunction with its lack of infrastructure and telecommunications, has made radio programming an essential component of UNOSOM's public information campaign. Radio Maanta broadcasts a 45-minute programme 7 times a day. Broadcasts consist of information on UNOSOM activities, statements issued by my Special Representative and the Force Commander, features highlighting progress made in promoting Somalia's political reconciliation and economic recovery, recitations from the Koran and traditional Somali music.

56. Radio Maanta broadcasts on short-wave, reaching Mogadishu and outlying areas. The programme is also broadcast once a day over the Italian contingent's FM station in Mogadishu. However, Radio Maanta is not received clearly in many parts of the country because of the limited capacity of its present transmitter and aerial.

57. Countering anti-UNOSOM propaganda has been an important task of its information programme. UNOSOM's disarmament operation of 12 June effectively neutralized Radio Mogadishu, which had been under the control of USC/SNA and was

a source of increasingly hostile propaganda against UNOSOM. Since that period, however, clandestine radio broadcasts have sought to disrupt Radio Maanta and other Somali broadcasts, by broadcasting at the same time and on the same frequency.

58. To extend Radio Maanta's outreach to the entire country and to prevent its being jammed by sources of hostile propaganda, additional transmitters are required in other parts of Somalia. A preliminary technical study suggests that the use of medium-wave transmitters should alleviate some of the transmission problems that Radio Maanta currently faces. The strengthening of this prime means of communication is being proposed as an urgent addition to the budget.

59. Until additional transmitters can be established, UNOSOM is examining the possibility of transmitting radio programming over the external short-wave radio services of neighbouring countries. Consultations on the matter are currently under way with authorities in Djibouti, Ethiopia and Kenya.

B. Print media

60. UNOSOM's Somali-language newspaper, Maanta, is published 6 days a week in Mogadishu and distributed to 11 other cities in Somalia. Its circulation, however, has been limited to 25,000 copies.

61. UNOSOM currently relies on the military to transport Maanta newspaper to other parts of Somalia. However, military aircraft have been unable to make daily deliveries of the paper. In Mogadishu, distribution has been hampered by the heinous murder on 7 July of six Somalis employed to deliver the newspaper. Other Somali staff of both Maanta and Radio Maanta have expressed concern for their personal safety. UNOSOM is at present considering an offer from a Somali contractor to undertake Maanta's distribution in Mogadishu. The provision of additional resources would enable UNOSOM to transmit the newspaper and other information materials, such as press releases, electronically to various cities in the country for local printing and dissemination.

62. UNOSOM has also recently introduced an English-language version of Maanta, for dissemination to United Nations agencies, NGOs and others in the international community.

C. Media relations

63. The peace-enforcement mandate of UNOSOM and the large number of Member States contributing military personnel have heightened the attention of the international media. To serve their needs for information, as well as that of the local Somali press, UNOSOM continues to extend its media outreach through press briefings, the issuance of media releases and fact sheets, answering media inquiries and coordinating media interviews of senior UNOSOM officials.

64. Regular daily briefings by the UNOSOM civilian and military spokesmen ensure an outflow of information on political, military and humanitarian aspects of the work of UNOSOM. Summaries of these briefings are prepared daily and

transmitted to United Nations Headquarters in New York and to the United Nations Information Centre in Nairobi for redissemination.

65. UNOSOM has organized visits to different areas in Somalia for journalists and these have enhanced media coverage of UNOSOM humanitarian activities, such as flood relief or the distribution of food rations. Journalists have also accompanied UNOSOM officials engaged in consultations with community leaders throughout Somalia on the establishment of district and regional councils.

D. Public outreach

66. In addition to Maanta newspaper and radio programming, UNOSOM has sought to reach out to the Somali population through its presence in the field. Regular updates on political, humanitarian and security-related aspects of UNOSOM's activities are translated and provided in both English and Somali to each of the UNOSOM zone offices for redissemination to local communities.

67. Leaflet drops and posters issued by UNOSOM military officials have also served to highlight UNOSOM objectives and activities.

68. Given the lack of telecommunications in Somalia, personal contact between UNOSOM officials and the Somali public has been an effective means of conveying UNOSOM's message. My Special Representative, his Deputy and other UNOSOM officials, especially those in the zone and sub-zone offices, have held numerous meetings with Somali community leaders, elders, women's and youth groups, representatives of businesses and political movements and local NGOs throughout Somalia to promote public understanding and support of UNOSOM's mandate and objectives. This programme will improve as zone and sub-zone offices become properly manned.

VII. OBSERVATIONS

69. The mandate established by Security Council resolution 814 (1993) reflected the deep complexities in the situation then prevailing in Somalia, which the United Nations undertook to resolve. It was evident that UNOSOM would need to receive full cooperation from the people of Somalia, especially the faction leaders, if it was to accomplish its tasks smoothly. At the same time, the international community had recognized that the complexities of the situation could lead to major difficulties in the tasks set for UNOSOM. It was precisely for this reason that the Security Council decided to establish UNOSOM II under Chapter VII of the Charter of the United Nations.

70. Regrettably, the short-sighted attitudes of leaders of a few factions aggravated the difficult situation. Despite their deliberate attempts to obstruct UNOSOM from performing the tasks assigned by the Security Council, the overall situation in Somalia has undergone a major transformation. The course had already been determined by the highly effective intervention by UNITAF. Following the establishment of UNOSOM II, conditions in most parts of the country have stabilized. Humanitarian assistance is reaching its destinations, protected from attacks and looting by armed bandits and militia. People are going about their normal routines. Schools are reopening. Land is being

tilled, crops are being planted and livestock even being exported. Local councils of clan elders are meeting and cooperating with the United Nations efforts to help Somalia to re-establish normal conditions. This contrasts starkly with the situation at the beginning of 1993, when the Somali people still were suffering from the effects of a brutal civil war fuelled by the ambitions and enmities of warlords that had claimed hundreds of thousands of innocent Somali lives.

71. A major task that fell to UNOSOM after it took over responsibility from UNITAF was the disarmament of the armed groups who had terrorized the people and made extortion from humanitarian assistance agencies the source of their considerable income. At the Organization of African Unity (OAU) Summit in Cairo last June, I had the opportunity to exchange views with several African leaders on the situation in and relating to Somalia. There was strong support for the United Nations effort in Somalia, particularly for the need to take appropriate measures to ensure the full implementation of the disarmament provisions of the Addis Ababa agreement. These views were expressed in Cairo both in the resolution adopted by the OAU Council of Ministers and the statement issued by the Horn of Africa Standing Committee on 23 June 1993. In my discussions with the Secretaries-General of the League of Arab States and the Organization of the Islamic Conference, strong support was also expressed for the United Nations role in Somalia.

72. The priority that UNOSOM gave to disarmament generated the hostility of a few clan leaders, fearful of losing their power, towards UNOSOM. The ambushing of UNOSOM personnel by such elements on 5 June and on subsequent occasions left UNOSOM no choice but to take forceful action to effect the disarming required under the Addis Ababa agreement. The exploitation of such actions to provoke hostilities towards UNOSOM has ill-served the people of Somalia and has led to loss of life for which the responsibility rests squarely with the faction leaders, in particular Mohammed Farah Aidid.

73. I am conscious of the feeling in some quarters that UNOSOM is deviating from its primary task of ensuring the safe distribution of humanitarian assistance, rehabilitation and reconstruction of Somalia, and is concentrating disproportionate efforts and resources in military operations. I know that some of this criticism is well motivated by good intentions. However, the international community has known from the beginning that effective disarmament of all the factions and warlords is conditio sine qua non for other aspects of UNOSOM's mandate, be they political, civil, humanitarian, rehabilitation or reconstruction. Unless disarmament is fully implemented, it would not be reasonable to expect UNOSOM to fulfil other aspects of its mandate. The fact that UNOSOM has been able to achieve the progress that it has in different parts of the country, despite the armed hostility that it faces almost daily from Mohammed Farah Aidid and his militia, is testimony to the Somali people's as well as UNOSOM's resolve not to be deterred by such obstacles as well as to the desire of the Somali people for peace and normalcy. But the fact remains that the country will not enjoy complete stability unless and until the criminal elements have been apprehended and brought to justice as demanded by the Security Council in its resolution 837 (1993). I am convinced that the Security Council fully endorses this approach. It is important to realize the interface between the political, military and humanitarian components of the United Nations presence in Somalia.

74. In view of these circumstances, I have reached the conclusion that UNOSOM requires the assignment of an additional brigade in order to extend its activities, pursue the programme of disarmament in the central and northern regions of the country, restore security through disarmament in Mogadishu and adequately tackle the refugee problem. This additional troop strength should enable the military component to be more effective, more rapid and move widely. Such broader effectiveness should in turn enable UNOSOM to fulfil its mandate within a shorter period of time. This step would result in a temporary increase in UNOSOM's troop strength, and I would endeavour to meet the additional costs from within the appropriation levels already approved.

75. The restoration of security and stability to Somalia requires the re-establishment of the Somali police force, the judicial system and the penal system, in order to enable Somalis quickly to assume full responsibility for law and order in their country. The initial steps must be taken within the framework of the transitional machinery envisaged in the Addis Ababa agreement, beginning with the district and regional levels. Ultimately, this will facilitate the progressive disengagement of the United Nations from its present role in Somalia. Furthermore, once Somalia has surmounted the dangers posed by the wide prevalence of heavy weapons, a well-organized and effective police force would be able to limit the spread of light weapons. It is therefore imperative and urgent that resources in funds and training assistance, as well as in efficacious transitory arrangements, be made available by donor Governments.

76. A high priority for UNOSOM is its assistance to the political reconciliation process. District councils have been formed, and efforts to sustain this momentum will continue in order to form the regional councils and the Transitional National Council as quickly as possible. UNOSOM has also sponsored the reconciliation meetings of clan elders in various regions in Somalia, where the effects are apparent in the restoration of stable and secure conditions, in stark contrast with the suffering from inter-clan conflict. It is my hope that these successes will encourage peaceful reconciliation in other parts of the country.

77. Looking beyond the situation in Somalia, the focus of this report, it is necessary to give attention to the serious problems encountered in establishing UNOSOM, which are symptomatic of the inadequacies of the present structure and procedure for coping with the heavy demands of the new generation of United Nations peace-keeping operations. Especially in UNOSOM, but also in the establishment of other large missions over the last two years, the delays and complications arising from the application by the Secretariat of established administrative, financial and logistical procedures, made their obsolescence obvious. As members of the Council are aware, measures already are under way to improve the procedures and practices in the Secretariat, and I am grateful for the support being received from various Governments.

78. Another serious and sensitive problem that arose in UNOSOM, and of which members of the Council are aware, is the one related to command and control over United Nations peace and security operations. The principle and practice of unity of command that was developed over decades of peace-keeping operations have come under strain in recent operations whose mandates fall, at times partially, under Chapter VII. Owing perhaps, to the particularly complex and

dangerous conditions under which UNOSOM found itself operating, the actions of some contingent commanders had the effect of weakening the integrity of UNOSOM's military command structure. Following clarification at both the political and the operational levels, these difficulties were settled. In the case of the Italian contingent, which received undue media attention, I am glad to report that there is complete coordination between the United Nations and the Italian authorities and the matter has been resolved. The Italian contingent of 2,540 troops in Somalia is largely located in the Jalalasi area, with several units in northern Mogadishu. While there has been constant and complete coordination in the Jalalasi area, for the Mogadishu area a diversity of views has arisen about some modalities of the implementation of the United Nations mandate. Consequently, Italy has asked that its Mogadishu units be redeployed elsewhere in Somalia, and this request has been accepted through an exchange of letters between the Foreign Minister of Italy and myself. Talks are already under way to define where these units will be redeployed.

79. Nevertheless, this issue deserves attention in order to avoid future complications that could weaken the effectiveness of United Nations missions in the interest of international peace and security. When the Council authorizes an operation under Chapter VII of the Charter, clearly there will be an increased risk of casualties among military personnel under United Nations command. It is entirely understandable that Governments will be highly sensitive to this risk and that they will wish to ensure the highest possible security for their personnel. Yet, I am certain that all States Members of the United Nations will agree that such risks can be minimized only if there is effective command and control on the ground by the Force Commander. This also ensures that the Commander is able to make the maximum use of his resources to achieve the objectives in the mandate received from the Council. Therefore it is clear that it is in the interest of the United Nations that the integrity of the command and control of United Nations military operations be respected in all peace and security operations, whether under Chapter VI or Chapter VII. Of course, it is essential that troop-contributing countries be fully consulted and be kept fully informed, at both the political and the operational levels. I am ensuring that this be done on a regular basis and I am confident that all concerned will cooperate in the common interest.

80. In concluding the present report, I wish to express my warm appreciation to my Special Representative, Admiral Howe, to the Force Commander, General Bir, and to all the men and women, soldiers and civilians, who have made a superb contribution to the furtherance of the United Nations mandate in Somalia under very difficult conditions. My appreciation also extends to the International Committee of the Red Cross, NGOs and the many Governments that have assisted and strengthened UNOSOM in the fulfilment of its historic tasks. Above all, I wish to pay profound tribute to the soldiers of UNOSOM, the Somalis working for UNOSOM, relief workers as well as the journalists who lost their lives in endeavouring to help Somalia, under United Nations auspices, in its hour of need.

Annex I

The re-establishment of security in Somalia:
the police, judicial and penal systems

1. The Somali political leaders agreed during the first session of the Conference on National Reconciliation in Somalia, held at Addis Ababa in March 1993, inter alia, on the "need to establish an impartial national and regional Somali police force in all regions of the country on an urgent basis through the reinstatement of the former Somali Police Force and recruitment and training of young Somalis from all regions", and requested "the assistance of the international community" in that regard.

2. The Addis Ababa agreement also provided for the Transitional National Council, as the repository of Somali sovereignty, to establish an "independent judiciary".

3. In my previous reports (S/24992, para. 30; S/25168, para. 23 and S/25354, para. 46), I stated that the establishment of an effective Somali police force would be a crucial step to create a secure environment in Somalia.

4. The Security Council, in its resolution 814 (1993) of 26 March 1993, requested the "Secretary-General, through his Special Representative, and with assistance, as appropriate, from all relevant United Nations entities, offices and specialized agencies, to provide humanitarian and other assistance to the people of Somalia in rehabilitating their political institutions and economy and promoting political settlement and national reconciliation, in accordance with the recommendations contained in his report of 3 March 1993". This included, assistance in the "re-establishment of Somali police, as appropriate, at the local, regional or national level, to assist in the restoration and maintenance of peace, stability and law and order, including in the investigation and facilitating the prosecution of serious violations of international humanitarian law" (see resolution 814 (1993), para. 4).

5. In my report of 3 March 1993 (S/25354, para. 50), I indicated that I would bring to the attention of the Council my recommendations based on a more detailed assessment of the re-establishment of the Somali police force. The present report contains those recommendations.

I. THE PRESENT SECURITY SITUATION

6. Despite recent divisions in the Somali Salvation Democratic Front (SSDF), which exerts administrative control over the region, the north-east seems to be secure and peaceful. There is practically no banditry problem. The traditional concern of the region has been possible attack by armed elements from across regional borders to the south and west. However, ongoing political reconciliation and disarmament programmes should reduce this threat. SSDF controls the security situation in the region. At present there are approximately 700 policemen in the region, about 70 per cent of whom were members of the former Somali National Police Force.

7. The Bay region also has a relatively satisfactory security situation except for banditry along the Hoddur-Baidoa road. The police patrol Baidoa, the capital of the region, without arms.

8. In the Gedo region, the security situation is relatively satisfactory, although isolated acts of banditry still occur. Police in Bardera conduct joint patrols with UNOSOM military forces in the city, but there is need for a rural guard to provide protection in outlying areas. For example, Somali refugees returning from Kenya recently were attacked by bandits about 50 kilometres from Bardera. The 2,000-strong police force which existed before the civil war was needed partly because of the long border with Kenya and Ethiopia.

9. The aftermath of the 5 June 1993 attack on UNOSOM military forces has caused serious security problems in Mogadishu. Security has deteriorated in the city owing to the presence of large numbers of weapons and large numbers of clan fighters still residing in the city. Three thousand former members of the Somali police have been re-formed into a new police force. In general, police and weapons are confined to the stations at night, unless joint operations are planned with UNOSOM. Police have continued their duties during the recent security incidents involving UNOSOM military forces and participate with these forces in selected missions.

10. The crime problem in Afgoi is exacerbated by looters along the Merca-Afgoi road and others leaving Mogadishu who pass through the area. Rural guards or a mobile quick reaction force may be needed to assert control in this area.

11. After the successful conclusion of the four-month Borama conference, political conciliation among clans and a broad-based administration determined to disarm and demobilize the clan-based militias have emerged in the north-west region. Disarming and demobilization are expected to improve security in the region as the security problem in the north-west has stemmed primarily from clan-based militias.

12. In Kismayo, armed factions have conducted military raids into the city and control of the city has changed twice in the last four months from one faction to another. Likewise, the police have been reorganized twice in the city. UNOSOM political and military elements are working with elders of all clans/factions to defuse tension in the Kismayo region.

13. It is clear that, while the security situation in some parts of Somalia is still less than satisfactory (particularly in Mogadishu), security has improved in the north-east, north-west, Bay and Gedo regions. A critical element in creating the security conditions necessary for the re-establishment of the Somali police force is the disarmament of the entire country, a task which is part of the UNOSOM mandate.

14. The restoration of law and order, peace and stability in Somalia requires not only the strengthening of the police forces but also a legal system that provides the basis and framework for police activities. This should include the basic laws that the police will have to enforce; a judicial system to adjudicate the cases of those arrested by the police and a penal system that can detain and punish offenders. Additionally, as a result of the civil conflict in Somalia over the last five years, investigation and facilitating the prosecution of

serious violations of international humanitarian law will require a special approach, perhaps using international investigative staff and justices.

II. PROPOSED UNOSOM STRATEGY

A. Police

1. Objectives

15. The attainment of the overall objective of UNOSOM with regard to the establishment of a national neutral police force must be approached through a framework comprising three tiers - national, regional and district - with police forces being answerable to appropriate local authorities in each tier. In the light of the fact that at the moment only at the district level have local authorities been established, i.e. district councils, implementation of the overall objective must, therefore, begin at that level and expand to the regional and national levels, involving ultimately the Transitional National Council when established. UNOSOM's role in this endeavour must remain that of a facilitator.

16. Expansion of the 5,000-person police force composed of former policemen into a force of 10,000 can be accomplished by bringing into the UNOSOM programme approximately 1,500 police operating in the north-east and approximately 1,500 police operating in the north-west. The police in these regions would need immediate on-station, in-service police training. Additionally, 2,000 persons would be recruited country-wide and undergo basic training in groups of 400. If training begins in October 1993, 5 cycles of 400 recruits in each cycle will produce 2,000 new policemen by December 1994.

17. The number of police required to perform law enforcement and security duties is a matter of continuing assessment. To develop an 18,000-person-strong police force (the number of police prior to the civil war) that can assume law enforcement and security duties by March 1995 (the currently projected time for completing the UNOSOM mandate), existing police units must be expanded and police forces developed in the smaller population centres throughout the country. While former policemen (approximately 3,000) will provide the foundation for this expansion, the police recruit training process also can help to reintegrate carefully selected ex-militia into Somali society by providing them with professional employment and discipline. The ex-militia would take a loyalty oath to Somalia and would be carefully observed during their training to ensure that factional loyalty is eliminated. An estimated 4,000 to 5,000 more recruits could be trained as policemen by December 1994 if two additional training academies are made available through international donor programmes.

18. A national police structure could be in place if the Transitional National Council so decides. Pending the establishment of the national structure, the police will be organized and operationally controlled on a regional and district basis. The governmental authority could request that international police advisers continue their service, if needed.

2. Strategy

19. Until a Somali governmental structure is established, the police force(s) will be under the operational control of the regional and district councils. An international police component of UNOSOM will provide assistance to these entities in the discharge of their responsibilities and will provide advice and training to the police forces.

20. The regional police commanders will be assisted by international experts who will act as police advisers. Regional political and operational considerations will determine if UNOSOM will appoint a national police chief for the interim report.

21. During this period, close coordination and cooperation between the UNOSOM military and Somali police is critical in ensuring comprehensive and coordinated security policies and operations. However, upon the arrival of the full component of international police advisers, UNOSOM military forces will end their control of police activities. None the less, close policy and operational coordination will be maintained between the police advisers, UNOSOM military and the Somali police.

22. A police training academy/institute will be created and organized with the assistance of international police advisers. The police institute will begin its first basic police courses in October 1993. Refresher courses for serving police officers will be carried out throughout the country by mobile training teams. The institute will train 400 recruits per cycle in a three-month basic police training programme, thereby meeting the recruit training objective of 2,000 which will increase the police force to 10,000 by December 1994. Recruitment will be proportional among clans on a regional basis and the clan balance will be maintained throughout all phases of recruitment.

23. Additionally, the institute will maintain a police personnel evaluation centre and a police documentation centre, which will be available to the entire police force. Training programmes will be provided to basic, intermediate and supervisory police personnel. The institute also will provide instruction for magistrates and custodial corps personnel.

24. In providing assistance, UNOSOM will build on the Auxiliary Security Force initiated by the Unified Task Force (UNITAF) as the foundation of the UNOSOM-supervised Somali police force. UNOSOM will, however, conduct a review of members of the Auxiliary Security Force to determine if they meet the following requirements:

(a) Two years' prior experience before 26 January 1991 with the former Somali Police Force;

(b) No crimes committed against the Somali people;

(c) No physical disability, with rare exceptions.

Those who do not meet the requirements will not be retained in the police force. Special care will be taken to retain the most competent. Where militia have been the foundation of existing police forces, UNOSOM will consider supporting

those forces with salaries and equipment, but will require that militia undergo, in a timely fashion, basic police and human rights training. Police officers must renounce loyalty to political and paramilitary forces and take an oath to the objectives and goals of the new Somali National Police Force and to serve the Somali people and nation.

25. To increase the strength of the police to 10,000 throughout Somalia by December 1994, UNOSOM will start a new recruitment programme, as soon as the training facilities and the trainers are available, using as a minimum the following criteria. Recruits must:

(a) Be between 18 and 25 years of age;

(b) Not have committed any crime against the Somali people;

(c) Have no physical disability;

(d) Have a certain level of literacy;

(e) Be selected by the local chief of police, recommended by community leaders and in consultation with the UNOSOM regional military commander, where applicable;

(f) Be selected in such a way as to ensure a proportional balance of clan representation.

26. UNOSOM will evaluate, region by region, the need to organize and train mobile quick reaction forces. This type of force can be used to assist in rural area bandit apprehension, disarmament operations under the supervision of the UNOSOM military and other quick reaction missions. Where there is a need for a regional mobile quick reaction force, the force would be under the operational control of the UNOSOM regional international police adviser and the UNOSOM military commander.

27. Taking into account the security environment of each region, UNOSOM military and police advisers will determine on a station-by-station basis, the number of weapons that will be provided to each police station.

28. Initially, UNOSOM will provide modest salaries, undertake limited renovation of police facilities, provide basic transportation and communications equipment, conduct basic police training and provide some specialized training. The salary scale must be sustainable by revenues generated by the future Somali Government.

B. Judicial system

1. Objectives

29. By 31 October 1993, an interim three-tier judicial system will be in place. The 1962 Criminal Procedure and Penal Codes will be enforced. Initially, judges and magistrates for the system will be compensated modestly by UNOSOM and encouraged to consider this involvement as a civic responsibility. Court rooms

and administrative workspace will be renovated and office equipment will be furnished for each court.

30. By 31 March 1995, the Transitional National Council will have determined the type of judicial system and laws of the country. The interim judicial system will be adjusted to accommodate the system called for by the Transitional National Council.

2. Strategy

31. After the Transitional National Council is formed, it will be asked by UNOSOM to take an early decision on the structure and organization of the judiciary and the applicable laws, both civil and criminal, throughout Somalia.

32. Since 4 May 1993, the 1962 Somali Criminal Procedure Code and Penal Code continue in force in areas where there exists a functioning judicial system. Consistent with the decision of the Boroma Conference, the Indian Penal Code and Criminal Procedure Code, which was in use in the north-west prior to 1960, will be in force in that region.

33. The interim judicial system will be modelled on the 1962 court system and will have three levels: courts of appeal, regional courts and district courts. District courts are to hear civil and criminal cases where conviction would result in imprisonment for less than 10 years. Regional courts are to review cases from district courts and are to have original jurisdiction over criminal cases in which conviction would result in imprisonment for three years or more.

34. In Mogadishu a Judicial Selection Committee made up of 13 respected Somalis and advised by UNOSOM Justice Division officials will select judges and magistrates for the court system in the city and will oversee issues of ethics and discipline in the judiciary. Similar councils will be formed in other regions of Somalia for the selection of judges and magistrates.

35. Should Somali judges be threatened or intimidated and therefore either refuse to adjudicate particular cases or are pressured into issuing decisions not based on legal grounds, UNOSOM will consider, after consultation with the Judicial Selection Committee, a programme whereby consideration may be given to foreign judges being asked to serve in selected courts. (It should be noted that foreign judges did serve in the Somali court system in the 1960s and foreign judges are serving in some East African countries today.) Upon request, UNOSOM military forces will provide security for judicial proceedings until Somali police forces are able to provide the required security.

36. A probable-cause hearing must be held within 48 hours of detention, unless there is no magistrate within a reasonable distance. The hearing will take place as soon as possible, depending on the location of magistrates and their schedules.

37. UNOSOM will have civilian judicial advisers assigned to provide advice and assistance in the re-establishment of the interim Somali judicial system.

38. As required by the UNOSOM mandate from the Security Council, UNOSOM police and judicial advisers will assist the Somali justice system in investigating allegations of serious criminal violations, including "crimes against the Somali people", and in facilitating the prosecution of criminals.

39. When security conditions require and until appropriate Somali prisons are renovated, UNOSOM will assist in maintaining a detention facility for persons whose security cannot be guaranteed in existing confinement facilities. United Nation standards on human rights will be respected in these facilities.

40. UNOSOM, with the assistance of the Police Institute and an appropriate university training faculty, will fund a judicial training or review programme for judges and magistrates and a court administration training programme for administrative staff.

41. UNOSOM will fund modest renovation of court facilities, provide limited equipment and supplies, training and modest salaries for judges and court administrative personnel.

C. Prison system

1. Objectives

42. By 31 October 1993, basic renovation of the prison facilities in Mogadishu and Hargeisa will have been completed, salaries paid and food for prisoners supplied. UNOSOM advisers will provide advice and supervision to detention facilities and prisons.

43. By 31 March 1994, if necessary, other prisons will have been re-established in other areas, including Bossasso and Kismayo.

2. Strategy

44. Humane treatment of prisoners is of the utmost concern.

45. UNOSOM will rehabilitate prison facilities in Mogadishu and Hargeisa and a juvenile detention centre in Mogadishu.

46. UNOSOM will employ members of the old Custodial Corps to manage the prisons. Initially, UNOSOM/international donors will pay salaries for 1,000 members of the Custodial Corps: 400 in Mogadishu, 200 in Hargeisa, 200 in Bossasso and 200 in Kismayo. Salary levels will be calculated so they can be sustained by local revenues following UNOSOM's departure.

47. Custodial Corps personnel must fulfil the following conditions:

(a) Have had two years' custodial experience prior to 26 January 1991;

(b) Have committed no crime against the Somali people;

(c) Have been vetted by senior Custodial Corps personnel.

48. United Nations agencies and non-governmental organizations (NGOs) will be requested to provide food for prisoners.

49. UNOSOM will supply an appropriate number of weapons for prison staff.

50. Upon request, UNOSOM military will back up external security when required.

51. UNOSOM prison advisers will give legal, penal and human rights assistance to prison officials located in their zones.

52. UNOSOM will ask the International Committee of the Red Cross (ICRC), United Nations agencies (e.g. the World Health Organization) and NGOs (such as Amnesty International), to monitor conditions in the prisons and any human rights violations.

D. Investigation of violations of international humanitarian law

1. Objectives

53. In order further to meet the requirements of Security Council resolution 814 (1993), UNOSOM will establish an Office of Human Rights to "investigate and facilitate prosecution of serious violations of international humanitarian law".

54. By 15 August 1993, the UNOSOM Office of Human Rights will be staffed by a six-person investigation team from Member States and will, among other things, assist in the establishment of a local Somali human rights committee.

55. At its forty-ninth session, in February-March 1993, the Commission on Human Rights of the United Nations recommended, and the Economic and Social Council, on 28 July 1993, approved, the appointment of an Independent Expert on Human Rights for Somalia. In addition to the Independent Expert's specific human rights function, the Expert could act as Ombudsman for police, judicial and prison issues.

56. By the end of 1993, ongoing investigations possibly will lead to the apprehension of several suspects in several major human rights cases. International justices will conduct trials in these human rights violation cases if Somali justices decline to hear cases as a result of threats or intimidation.

2. Strategy

57. The Security Council, in its resolution 814 (1993) enjoins UNOSOM to assist in the "restoration of peace, stability, law and order, including investigation and facilitating the prosecution of serious violations".

58. UNOSOM will establish a team of international specialists which will investigate, in cooperation with the Somali police, human rights violations committed against the Somali people, as well as against international assistance workers. Such violations include mass murders of Somali citizens, murder, attempted murder and threats of bodily harm against international assistance workers and UNOSOM employees.

59. UNOSOM will establish a central registry of murders, attempted murders, threats to security and crimes against property. The registry will maintain investigation files on each case.

60. UNOSOM will establish a property claims investigation team to deal with crimes involving: theft of money, looting and destruction of United Nations agencies, the offices and warehouses of NGOs; looting and destruction of Somali Government buildings, infrastructure, vehicles and other assets; looting and destruction of diplomatic missions. The team will decide whether a reported property crime comes under its jurisdiction. All property crimes not under the jurisdiction of the team will be directed to the Somali police for investigation.

61. UNOSOM will encourage the Transitional National Council to establish a property claims division as a special division of the regular Somali court system to deal with crimes against property committed from 26 January 1991 to the present. This division of the court should have the authority to punish perpetrators of property crimes in accordance with applicable Somali laws and should be enabled to order restitution of property, or payment of damages, or both. This initiative will build on the work accomplished by the committee for the peaceful resolution of property disputes.

62. UNOSOM will encourage international human rights groups to assist Somali human rights organizations with human and financial resources.

63. The estimated one-year cost of establishing an internationally staffed office for investigation and facilitating prosecution of serious violations of humanitarian law is estimated at $2,322,000. This office will be staffed under the peace-keeping budget and from international volunteers.

III. FINANCIAL ASPECTS

64. The total cost of direct support of the re-establishment of the Somali justice system is estimated at $45,130,000 for the first year (see appendix). It needs to be emphasized that this is considered the minimum amount required to start the Somali justice system going so that it may take over as soon as possible from UNOSOM the function of maintaining law and order. If nations donate actual equipment, budget requirements will be reduced. When I submitted the addendum to my last report (S/25354/Add.1), a detailed assessment of the extent of the disintegration of the Somali justice system and the destruction of its infrastructures had not been made. At that time, I proposed a figure of $8,900,000 needed just to continue the support of the 5,000-person Auxiliary Police Force to be inherited from UNITAF.

65. To implement this programme, UNOSOM will have international police management and advisory staff at UNOSOM headquarters, zone, sub-zone and district levels to ensure daily contact with Somali police down to the station level. UNOSOM will also have the required international expertise to assist the Somalis to re-establish their judiciary and prison systems and to investigate serious violations of international humanitarian law. I estimate that the international staff needed for this undertaking will cost $10,308,000 per annum. These positions will be funded under the peace-keeping budget.

66. In my previous report (S/25354, para. 89), I indicated my intention to maintain the United Nations fund for operations in Somalia authorized by the Security Council in paragraph 11 of its resolution 794 (1992). I am gratified to learn that there are a number of countries preparing to make further voluntary contributions to this fund or contributions in kind (Egypt, Germany, Netherlands and Norway). The amounts pledged may not, however, be sufficient to cover the costs of the re-establishment of the Somali justice system and the costs of international staff to provide the required assistance. In that event, I will not hesitate to recommend alternative financing arrangements to meet the shortfall.

67. Member States could contribute funding, equipment or training on either a nationwide or regional basis. If contributions are provided on a regional basis, UNOSOM would provide guidance to ensure inter-operability of equipment and to ensure a logical proportional balance of equipment and training based on the needs of the regions.

IV. OBSERVATIONS

68. The overwhelming desire of the Somali people for the restoration of peace and law and order to their country and the eagerness of members of the former Somali police force and Custodial Corps, magistrates and judges who have resurfaced and offered their services to restore and re-establish their justice system have convinced me that the Somalis will respond positively and constructively to the assistance extended by the international community.

69. Successful police and justice systems in Somalia will cut the cost of peace-keeping operations as fewer military forces will be required to maintain security. In addition, with required basic infrastructures of the whole justice system rebuilt during the first year, significantly lower financial resources should be required during the second year to bring the system back to a level capable of maintaining internal security throughout the entire country.

70. The objectives of the UNOSOM humanitarian programme include assisting in the regeneration of the Somali economy and the re-establishment of its public finance system. There are indications that the Somali economy, at least the agriculture, livestock and trade sectors, have been relatively resilient in withstanding the civil war. It is expected, therefore, that the transitional national authority and regional authorities will be in a position to finance their newly re-established justice system as soon as their public finance system is restructured. It should be noted that the north-east region is financing its police force at a modest level substantially through revenue from the Bossasso port.

71. The full maintenance of internal security by the Somalis themselves would not only enable them to embark on their own rehabilitation, reconstruction and development process but, as I indicated in my previous report (S/25354, para. 86), would also render a substantial United Nations military presence no longer necessary. This modest expenditure to re-establish the Somali justice system would therefore enable a rapid reduction in the relatively large UNOSOM military expenditures. I consider, therefore, that this expenditure for the justice system is cost-effective.

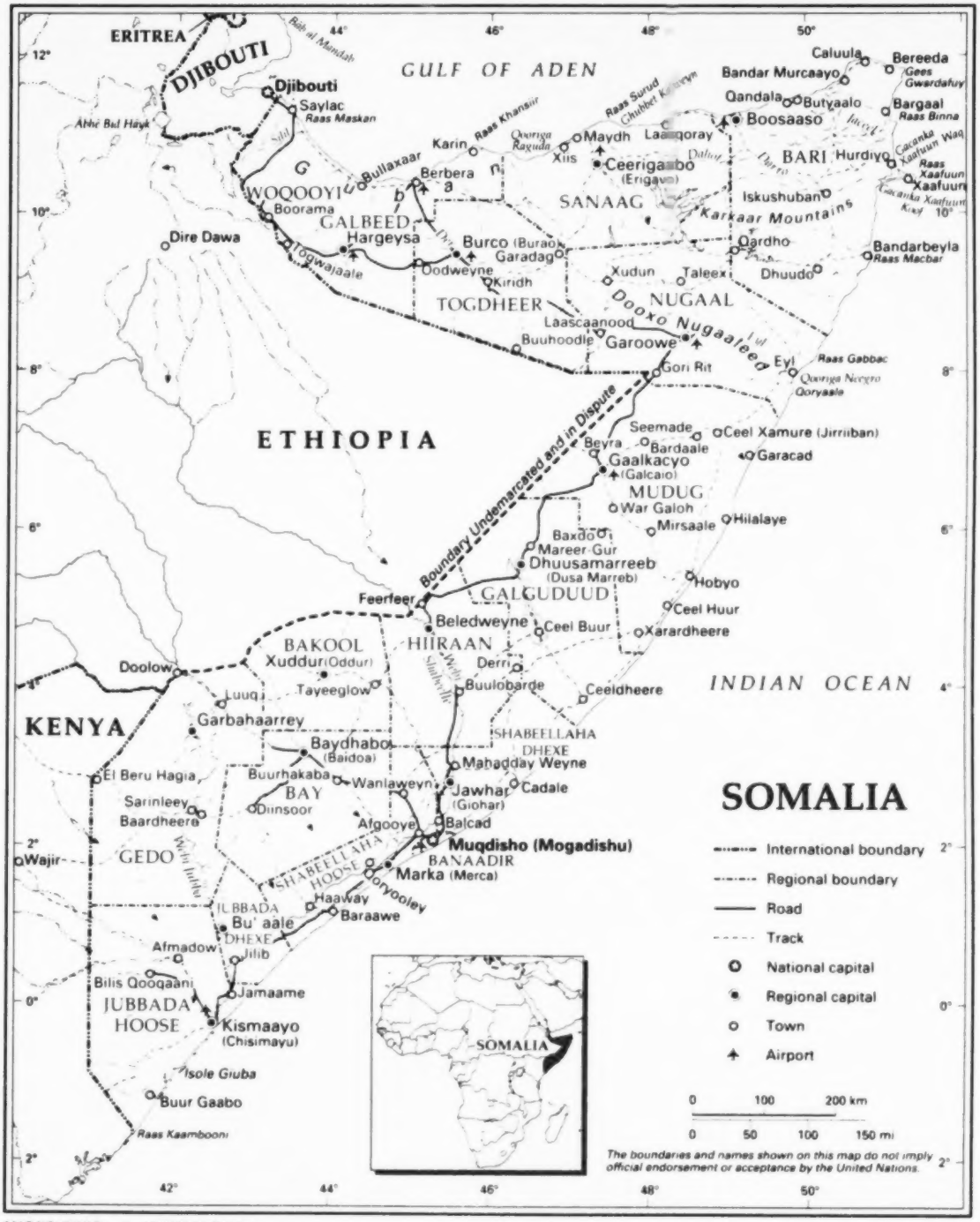
Appendix

United Nations Operation in Somalia (UNOSOM)

Summary of financial implications for one year of operation (May 1993-April 1994)

(In thousands of United States dollars)

	Main expenditure group	Police	Judicial	Prison	Total
1.	Personnel costs (compensation to Somali personnel)	16 848	1 644	1 045	19 537
2.	Renovation of premises	350	355	400	1 105
3.	Supplies, services and equipment	735	850	40	1 625
4.	Uniforms	1 500	-	200	1 700
5.	Vehicle operation	13 052	579	388	14 019
6.	Communications equipment	440	-	-	440
7.	Weapons	3 000	-	96	3 096
8.	Training	3 540	68	-	3 608
	Projected (gross) requirements	39 465	3 496	2 169	45 130



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